

**MINUTES OF THE
REGULAR MEETING OF THE PLANNING COMMISSION
CITY OF EDINA, MINNESOTA
CITY COUNCIL CHAMBERS
JUNE 10, 2015
7:00 PM**

I. CALL TO ORDER

II. ROLL CALL

Answering the roll call were: Hobbs, Lee, Strauss, Thorsen, Halva, Nemerov, Olsen, Carr, Forrest and Platteter

Absent: Seeley

III. APPROVAL OF MEETING AGENDA

Commissioner Thorsen moved approval of the June 10, 2015, meeting agenda. Commissioner Olsen seconded the motion. All voted aye; motion carried.

IV. APPROVAL OF CONSENT AGENDA

Commissioner Nemerov moved approval of the meeting minutes for May 13, 2015 with changes. Commissioner Strauss seconded the motion. All voted aye; motion carried.

V. COMMUNITY COMMENT:

None.

Commissioner Olsen moved to close public comment. Commissioner Thorsen seconded the motion. All voted aye; motion carried.

VI. PUBLIC HEARINGS

A. Variance. Great Neighborhood Homes/Scott Busyn. 5115 Wooddale Glen, Edina, MN

Planner Presentation

Planner Aaker reported that the subject property is approximately 98 feet in width and is 11,931 square feet in area. The property is a corner lot with frontage along both Wooddale Ave. and Wooddale Glen. The property is subjected to two front yard setbacks along both street frontages. The property owner is requesting to demolish the existing single-family home with a single stall garage, which currently does

not meet the setback required from Wooddale Ave. of 59 feet or the required interior side yard setback to the east of 10 feet for the purposes of building a new home on the site. The applicant has stated that the current home is in disrepair, is unlivable at this time and is functionally obsolete. The existing one car garage is only 8 feet wide and is quite close to the east side yard at 4 feet, (6 feet closer than allowed by ordinance). The zoning ordinance requires a minimum two car garage per single dwelling unit with a minimum, (east), side yard setback of 10 feet. The existing home is nonconforming to current code requirements regarding setback from Wooddale Ave., the interior side yard setback to the east and providing a minimum two car garage. The proposed new home will conform to all zoning requirements with the exception of setback from Wooddale Ave., which the current home also does not conform to.

Aaker further explained that the proposed home will be two stories with an attached three car garage, (one stall to be tandem behind the other). Garage width from the front façade will be 23 feet and present as a two car garage from Wooddale Glen. The new home will be upgraded to meet modern needs and conform to the minimum two car garage requirement. The applicant has indicated that the home will be a “cottage style” home with highly articulated facades on all sides to include multiple windows, layered roof lines, box outs, brackets, shutters and a stone chimney. A design concern with a conforming solution given the deep setback from Wooddale is the narrow building width opportunity along Wooddale Glen, which pushes a front loading garage into prominence with the potential to create what is known as a “snout house” design. The proposal is to avoid a garage prominent design by locating it on the west side of the house which also buffers living areas from traffic along Wooddale Ave. The intent is to also work with neighboring property owners on clearing up mismatched fencing, buckthorn, wood piles etc. while implementing a mutually beneficial landscape plan for all on site. The applicant has indicated that he has approached adjacent property owners and that they have been supportive of his ideas for the site

Continuing, Aaker noted that there are existing single-family homes on the adjacent north and west lots, facing both on Wooddale Ave. and Wooddale Glen. The north lot has a front setback of 59 feet. The lot to the west of the subject property fronting Wooddale Glen is set back 43 feet from the front property line. The existing home to be torn down is located 42.9 feet from Wooddale Ave. and is nonconforming to the required 59 foot street setback. The existing and proposed new homes conform to the 43 foot front yard setback required from the lot line adjacent to Wooddale Glen, but neither the existing or proposed homes conform to the required setback from Wooddale Ave. The required setback from Wooddale Ave. cuts the lot in half with buildable area of the lot reduced even farther given the 25 foot rear yard setback, 10 foot side yard setback requirement and 43 foot setback required from Wooddale Glen. The lot area of 11, 931 square feet should allow for building coverage of 2,982 square feet, (25% of the lot), however, given setback requirements, the buildable area of the lot is approximately 1,400 square feet or roughly less than 12% of the lot area.

Code requires a front yard setback equal to the setback of the adjacent home to the north, or 59 feet for this lot. The street setback required for typical corner lots that do not have homes facing a side street is 15 feet. The proposed home will be 25 feet from the lot line adjacent to Wooddale Ave. It should be noted that the two nearest corner lots on the cul-de-sacs of Wooddale Glen and Wooddale

Lane are also closer to Woodale at 15.7 feet and 33.1 feet instead of 59 feet as required for the subject lot.

Planner Aaker concluded that staff recommends that the Planning Commission approve the variance based on the following findings:

1. The proposed use is permitted in the R-I Single Dwelling Unit District and complies with all the standards, with exception of the front/side street setback (as determined by the adjacent home).
2. The home is appropriate in size and scale for the lot and the improvements will enhance the property.
3. The property is subject to an unreasonably deep street setback that severely diminishes the building opportunity for the lot.
4. The proposed home will be more conforming than the existing home by providing for more than the minimum two car garage requirement and increasing the east side yard setback to be greater than the minimum 10 feet required.
5. There is a practical difficulty in meeting the ordinance requirements and there are circumstances unique to the property due to an imposed front yard setback from the adjacent home that shrinks building footprint options to less than 12% of the lot area.
6. The variance, if approved, will not alter the essential character of the neighborhood. The new home will be well articulated and will enhance the character of the neighborhood.

Approval of the variances are also subject to the following conditions:

- 1) Subject to staff approval, the site must be developed and maintained in substantial conformance with the following plans, unless modified by the conditions below:

Survey date stamped: May 11, 2015

Building plans and elevations date stamped: May 11, 2015.

Appearing for the Applicant

Scott Busyn, Great Neighborhood Homes

Discussion

Commissioner Nemerov asked if trees will be addressed with this project. Mr. Busyn responded that trees will be inventoried and will be saved when possible and replaced if removed.

Commissioner Lee asked Planner Aaker what the lot coverage requirement is for this lot. Planner Aaker reported lot coverage is 25%; noting the subject lot is over 9,000 square feet. Lee asked if corner lots have different setback requirements. Aaker responded in the affirmative. She explained a 15-foot side street setback is required if the homes are back to back; however, if the garage faces the side street a 20-foot setback is required for the garage from the side street. Continuing, Aaker explained corner lots can also be subjected to two

front yard setbacks if the adjacent house faces that side street. Aaker concluded that the intent of the Code was to maintain the streetscape.

Applicant Presentation

Mr. Busyn reported that he held a neighborhood meeting to inform neighbors of their intent to tear down the existing home and construct a new home. Busyn said that the plan for the new home allows for the creation of more functional rear yards for the three adjoining properties. He also noted that currently the site is in disrepair and will be “cleaned up”. Continuing, Busyn said the new house would conform to the Tree Ordinance.

Chair Platteter asked Mr. Busyn if he worked with the adjoining neighbor on the existing retaining wall and driveway. Busyn responded in the affirmative. He added he is in contact with that neighbor and is keeping him “in the loop” on the drainage and landscaping plans.

Public Comment

Mr. Cobb, 5117 Wooddale Glen was present representing himself and property owners at 5119 Wooddale Glen and 5113 Wooddale Avenue. Cobb addressed the Commission and informed them he supports the project as submitted and is pleased with the density of house and overall look of the project. He further added the plans as submitted will “clean up” this corner and will enhance not only the site but the entire neighborhood.

Commissioner Thorsen moved to close the public hearing. Commissioner Olson seconded the motion; all voted aye; motion carried.

Motion

Commissioner Forrest moved variance approval based on staff findings and subject to staff conditions including capping the building height at 32-feet, adding an additional suggestion that every effort is made to save the large Oak tree. Commissioner Olsen seconded the motion. All voted aye; motion carried.

B. Rezoning with Variances. M. Mortenson. 3923 49th St West, Edina, MN

Planner Presentation

Planner Teague informed the Commission Mathias Mortenson is requesting a rezoning from R-1, Single Dwelling Unit District to R-2, Double Dwelling Unit District to tear down the existing single-family home and construct a new double dwelling unit at 3923 49th Street. The property is located adjacent to the 50th and France retail area; just north of the former Edina Realty Building site, now owned by the City of Edina, and east of a four-story apartment building. To accommodate the request the applicant is requesting the following:

- Rezoning from R-1, Single Dwelling Unit District to R-2, Double Dwelling Unit District;

- Lot Area Variance from 15,000 s.f. to 8,816 s.f.;
- Lot Width Variance from 90 feet to 65 feet;

Teague reminded the Commission the applicant made a similar request in 2014 that was denied by the City Council. The denial of that rezoning centered on the variances associated with the size of the structure proposed. The planning commission recommended approval of the rezoning of the property from R-1 to R-2. The previous request included variances for building coverage and side yard setback requirements. The building coverage variance was from 25% to 32%, and the side yard setback variance from 10 feet to 5 feet 10 inches on the east side. There also were retaining wall setback variances proposed.

Teague reported that the applicant has revised the plans so that there are no variances associated with the proposed structure; the request is now only for the rezoning of property and the lot area and width requirements. The applicant has hired a professional engineer do the grading, stormwater management and erosion control plan.

Planner Teague concluded that staff recommends that the City Council approve the proposed Rezoning and lot area and width variances at 3923 49th Street. Approval is based on the following findings:

1. The proposal is consistent with the Comprehensive Plan. The Plan guides this site for low density attached residential which is described as “two-family and attached dwellings of low densities and moderate heights. This category recognizes the historical role of these housing types as transitional districts between single-family residential areas and major thoroughfares or commercial districts.” The proposed rezoning precisely fits this category.
2. The proposed use would fit in to the neighborhood. This neighborhood consists of both single-family and two-family dwellings; however, two dwelling units are the predominant uses on this block.

Approval is also subject to the following Conditions:

1. Any new structure on this property shall conform to the minimum Zoning Ordinance requirements of R-2 Zoning District.
2. Compliance with all of the conditions outlined in the director of engineering’s memo dated June 3, 2015.
3. Any new duplex structure would be required to be installed with a fire sprinkler system, per the state building code.

Appearing for the Applicant

Mathias Mortenson, applicant

Discussion

Commissioner Thorsen asked Planner Teague if there are other similar “areas” in Edina. Planner Teague responded in the affirmative. He noted there is a similar pocket on West 54th Street that’s a mixture of single and double dwelling units, adding there are other similar pockets throughout the City.

Commissioner Lee questioned lot coverage. Planner Teague responded that lot coverage is at 25%.

Applicant Presentation

Mr. Mortenson addressed the Commission and reported since his last appearance before the Commission he revised his plans and eliminated the need for variances as per concerns raised by the Commission. Mortenson said most of the concerns expressed by the Commission centered on the size of the proposed structure and the variances needed to build the structure. Mortenson stated he revised the plans and reduced the size of the structure eliminating the variances. Continuing, Mortenson said his goal in redeveloping this property was to provide a housing type absent from the city’s housing stock, one that accommodates the needs of an aging population in place. Concluding, Mortenson further reported that his project aims to be constructed at the highest standards of sustainability.

Commissioner Forrest questioned if with the revisions light access continues to be available for the proposed solar panels. Mr. Mortenson responded in the affirmative. Forrest further commented that she was a little concerned that the proposed “caregiver space” could become separate living quarters.

Planner Teague responded the request is for two (2) dwelling units; not four (4), adding the caregiver space does not contain a kitchen and would not be considered another dwelling. Forrest asked Mr. Mortenson if that was understood. Mortenson said he has no problem with two units; adding that was his intention and what’s proposed.

Commissioner Lee commented that in her opinion when she viewed the plans she thought the interior clearance may not meet ADA standards. She further questioned building height. Mr. Mortenson acknowledged it did take him some time to revise the plans reducing the square footage; however, it was accomplished and the schematic does meet ADA standards. With regard to building height, the previous roof was a gable; the present roof is a hip. Concluding, Lee questioned drainage. Mortenson responded that the site will drain to the respective rain gardens.

Public Testimony

Chair Platteter opened the public hearing.

Jim Stromberg, 3930 49th Street West expressed his support for the project. He said one of the reasons he moved into this neighborhood was because of the mixed housing opportunities.

Chair Platteter asked if anyone else would like to speak to the issue; being none, Commissioner Carr moved to close the public hearing. Commissioner Thorsen seconded the motion. All voted aye; motion carried.

Discussion

Commissioner Carr complimented the applicant on listening to Commission comments by eliminating the variances for the structure, adding sustainability and addressing the need for this type of housing unit is a plus for the City of Edina

A discussion ensued with Commissioners acknowledging the changes to the plans that reduced building size; thereby eliminating the need for structure variances was a positive step. It was further acknowledged that the variances required for the rezoning were reasonable noting that the majority of doubles in this neighborhood are beneath the minimum standard square footage (15,000 sq. ft.) for a double dwelling unit. Sustainability was also a huge plus; however, Commissioners did further reiterate for the applicant that the subject site is two units only.

Motion

Commissioner Nemerov moved to approve the request for rezoning subject to staff findings and staff conditions. Commissioner Thorsen seconded the motion.

Commissioner Lee thanked the neighbor for his comment; however, indicated that as proposed she can't support the request; it's just too much for the site in her opinion

Commissioner Forrest stated she supports the project as presented, adding the revision to one driveway; not two as previously proposed was beneficial

Chair Platteter commented that he too can support the rezoning; adding Edina could use more of this type of housing.

Chair Platteter called the vote. Ayes; Hobbs, Thorsen, Strauss, Olsen, Nemerov, Carr, Forrest, Platteter. Nay; Lee. Motion carried.

VII. REPORTS AND RECOMMENDATIONS

A. Consideration of Development Principles for the Southdale France Avenue Area

Planner Teague reported that members of the Southdale France Avenue Area Working Group are present this evening to introduce to the Commission their "guiding principles" for the area.

Teague noted that two members of the Planning Commission sit on this working group; Steve Hobbs and Jo Ann Olsen. Teague introduced Michael Schroeder to brief the Commission on their progress.

Mr. Schroeder introduced to the Commission present members of the working group; Jim Nelson, Robb Gruman, Harvey Turner, Ben Martin, and Lori Severson. Continuing, Schroeder reported that to date the “Group” has held nine meetings including outreach sessions for the community. Schroeder reported that the “Group” is comprised of 12 members; two planning commissioners, four appointed by the City Council, three members of the neighborhood and four business owners.

Schroeder said the Work Group functions very well together and developed nine (9) working principles. Schroeder said their intent is incorporating these principles as policy for the Southdale area. Schroeder introduced the principles:

- Give-to-Get; Plan & Process
- Edina Cultural Preferences
- District Function
- Comprehensive Connections; Movement
- Site Design; Transitions
- Health
- Innovation
- Land Use; Live-able Precincts
- Economic Vitality

Schroeder said that stage one of the process was to deliver working principles intended as a guide for the public and private areas of the study area. Schroeder explained that the focus of the group was more aspirational. He explained that the group believes the principles may evolve as we receive more feedback. Schroeder further asked the Commission to note that each principle has supporting questions. Concluding, Schroeder said the “Group” has agreed to continue the work and look forward to moving to stage two.

Robb Gruman addressed the Commission and explained one thing that the development community would like to have would be specific guidelines on ordinances and what’s expected of them. Gruman said in his opinion City focus should be on the quality of developments and to look at developments in context.

Jim Nelson addressed the Commission and commented that in his opinion “reach out” sessions between developers and residents need to occur. Nelson said in attending numerous meetings the impression of developers residents expressed wasn’t very good. Nelson said time needs to be taken for both developers and residents to speak and listen to each other, adding the burden needs to fall on both parties to establish relationships.

Harvey Turner told the Commission he moved into Edina in 1988, adding when he was researching where to live Edina was the name that came up from everyone he asked. Turner said his goal in working with the work group is to make Edina the best place it can be. He said one step is viewing residents and developers as partners to complete the goal of creating the best Edina.

Comments

Commissioner Olsen told the Commission this group was terrific to work with, adding she feels privileged to do so. Commissioner Hobbs agreed.

Chair Platteter told the working group he was very supportive of their work. He suggested that the group work on establishing a name for this area and to continue to think broadly. Platteter said he is very supportive of the aspirational vision of the group, adding vision starts everybody thinking. He further noted that the Southdale area is not only a neighborhood amenity; it belongs to all Edina and it may be beneficial to for the group to reach out to others in the community; not only from this neighborhood. Continuing, Platteter said listening to “other voices” can help in developing quality projects. Platteter concluded that educational aspects should also be added.

Commissioner Forrest thanked the group for their work. She said in her opinion it is reasonable to establish standards and expectations that express values, economic diversity, embracement of the arts, age diversity, connectivity, mobility etc.

Commissioner Carr also thanked the group adding the Commission needs these type of tools to help us in our decision making.

Chair Platteter and Commissioners again thanked the group for their work, adding they look forward to stage two.

Motion

Commissioner Nemerov moved to recommend adoption of the guiding principles as policy. Commissioner Carr seconded the motion.

Commissioner Nemerov suggested that the “principles” be reviewed again to gage how they are working. Carr further suggested that the principles could be added to applications.

All voted aye; motion carried to adopt guiding principles for the Southdale France area.

Commissioner Lee commented that she wonders if the principles should be prioritized. Mr. Schroeder responded the group did not discuss priority. He said at this time the nine principles are all important. He did agree that staff could begin using the principles when reviewing developments.

VIII. CORRESPONDENCE AND PETITIONS

Chair Platteter acknowledged back of packet materials.

IX. CHAIR AND COMMISSION COMMENTS

Chair Platter reported that the Commission just completed a successful “walk about” of the greater Southdale area.

Platteter said he continues to schedule reports from the Heritage Preservation Board, Cindy Larson and City attorney, Roger Knutson (when time permits). He added he believes July will be a good time to hear from the Heritage Preservation Board.

Commissioner Carr noted the Commission may want to revisit the 2015 work plan since we’re at the half way mark.

STAFF COMMENTS

Planner Teague reported that at their last meeting the City Council approved the subdivision request for the property on Concord Avenue. They also approved the Blakewoods subdivision request with the looped main, no sidewalk and modified curb.

Planner Teague said if Roger Knutson and Cindy Larson are available he would work on scheduling them for the next meeting of the Commission on June 24th.

X. ADJOURNMENT

Commissioner Thorsen moved to adjourn the meeting of the Edina Planning Commission at 9:40 pm. Commissioner Strauss seconded the motion. All voted aye; motion carried.

Respectfully submitted